

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room 222

Wednesday, May 9, 2018

ACTION ITEMS:

1. Minutes of April 25, 2018, Worksession.

Action: Approved, (ESR/KF, 4-0).

2. **A-6554, Petition of Ben Porto and Son, Ltd.** (Administrative Appeal). Letter to the Board from Jon D. Pels, Esquire, indicating that pursuant to Expedited Bill No. 1-18, jurisdiction over Water Quality Protection Charge appeals has been transferred to the Director of Finance and the Maryland Tax Court. Accordingly, the Appellant requests withdrawal of this appeal and a refund of the filing fee.

Action: Dismissed as withdrawn and granted refund of filing fee, (KF/ESR, 4-0).

3. **S-155, Petition of Montgomery Square – Copenhaver Swim Club, Rebecca Mancuso, and Brian Rindos** (Community Swimming Pool). Letter to the Board from Nancy P. Regelin, Esquire, requesting that Georgetown Hill Child Care Center, Inc., be added as a co-holder of this special exception, that Ms. Mancuso and Mr. Rindos be removed as co-holders, and that the special exception be modified as described in Ms. Regelin's letter. Also included is a copy of a letter dated April 26, 2018, sent to neighbors and other parties to this case, informing them of the modification request.

Action: Re-opened the record, substituted co-holders, granted the administrative modification, and waived payment of lower fee, (SBB/ESR, 4-0).

4. **S-1464 and S-1465, Petition of Maplewood House Place Limited Partnership, Maplewood Park Place Cooperative Housing Corporation, and Maplewood Park Place Retirement Services, Inc.** (Housing for the Elderly and Nursing Home). Letter to the Board from Allison L. Hardy, AIA, requesting an administrative modification. [Large Exhibits: East and West elevations of the East Building; details of the construction and elevations].

Action: Granted the administrative modification of this special exception, (KF/SBB, 4-0).

5. **S-2530, Petition of Gabriel Kengni** (Accessory Apartment). Letter to the Board from the Petitioner, indicating that the accessory apartment has been eliminated, and requesting that the special exception be revoked and the show cause hearing be dismissed.

Action: Revoked this special exception and dismissed the show cause hearing, (ESR/KF, 4-0).

6. **S-2668, Petition of Taiwan Culture Center** (Service Organization). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, finding no violations of the special exception at the Spring Open House, and an email from Ms. Vargas indicating that the other complaints referred to DPS by the Board in its April 4, 2018, Resolution did not constitute violations of the special exception.

Action: Re-opened the record to include Ms. Vargas' Memorandum and email, and dismissed the complaint, (KF/ESR, 4-0).

7. **S-2822, Petition of The Siena School** (Private Educational Institution). Letter to the Board from Clay Kaufman, Head of School, requesting an administrative modification. [Large Exhibits: existing site plan and elevations; proposed site plan and elevations].

Action: Granted the administrative modification of this special exception, (SBB/ESR, 4-0).

8. **CU 15-05, Petition of Artis Senior Living** (Private Educational Institution). Letter to the Board from Erin Girard, Esquire, and Matthew Gordon, Esquire, requesting an administrative modification. [Large Exhibits: overall site plan; technical specifications – Rainier Privacy Fence with Lattice].

Action: [Withdrawn by counsel.]

Board Members

John H. Pentecost, Chair
Edwin S. Rosado, Vice Chair
Stanley B. Boyd
Bruce Goldensohn - **ABSENT**
Katherine Freeman

Staff

Barbara Jay, Executive Director
Kathryn Lloyd, Associate County Attorney